

SENATE BILL 2072

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 57,
relative to the sales of wine by certain retail food
stores.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 57, Chapter 3, Part 2, is amended by
adding the following language as a new, appropriately designated section:

57-3-2__.

(a) Notwithstanding any other provision of law to the contrary, an additional class
of licenses allowing the sale of wine at retail food stores is hereby created. These
licenses shall be known as "wine at food store licenses" and shall be issued by the
alcoholic beverage commission; provided that licenses shall only be issued to a retail
food store located in a county or municipality which has authorized the sale of alcoholic
beverages by local option election. The provisions of § 57-3-204(b) (3) and (4) and §
57-3-404(e)(1) and (f) shall not apply to licenses issued pursuant to this section provided
that any individual applicant applying for a license is twenty-one (21) years of age or
older and has not been convicted of a felony subject to the provisions of § 57-3-210(c);
and provided further the commission may issue such a license to a corporation, limited
liability company or partnership doing business in this state. The annual license fee paid
by a retailer licensed under this part shall apply to the wine at food store license.

(b) For purposes of this section "food store" means a grocery store, shop,
supermarket, warehouse-type seller, club, outlet, or other seller, which sells at retail food
for consumption off the seller's premises either alone or in combination with grocery
items or other nondurable items typically found in a grocery store, provided such items
are sold to individuals for their own personal, family, or household use; and provided

further, that such food store must carry fresh or processed meat, poultry, dairy products, eggs, fresh fruit and produce, baked goods and baking ingredients, canned goods and dessert items.

(c) The provisions of law applicable to the issuance, renewal, suspension, and termination of retailer's licenses issued pursuant to this part and the regulation of and operation by such license holders shall apply in the same manner to wine at food store licenses and license holders.

SECTION 2. Tennessee Code Annotated, Section 57-3-404(b), is amended by deleting the language "a licensed retailer," and by substituting instead "a licensed retailer or retail food store licensed to sell wine pursuant to Section 1 of this act,".

SECTION 3. Tennessee Code Annotated, Title 57, Chapter 1, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 57-1-1___. As used in §§ 57-1-110, 57-3-204(c), 57-3-304, 57-3-406 (b) through (h), and 57-4-302, the term licensed retailer or retailer shall be construed to include and apply to retail food stores which have been issued a wine at food store license.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.